

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 16, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JASON RISINGER,

Plaintiff,

v.

LIBERTY MUTUAL INSURANCE
COMPANY and OHIO SECURITY
INSURANCE COMPANY, a foreign
profit corporations licensed to do
business in the State of Washington,

Defendants.

NO: 2:22-CV-0327-TOR

ORDER GRANTING STIPULATION
TO TRANSFER

BEFORE THE COURT are the parties' Joint Stipulated Motion Transferring Venue and Motion to Expedite. ECF Nos. 10 and 12. These matters were submitted for consideration without oral argument. The Court has reviewed the record and files herein and is fully informed. The stipulated motions are granted.

In the typical case not involving a forum-selection clause, a district court considering a [28 U.S.C.] § 1404(a) motion (or a *forum non conveniens* motion)

1 must evaluate both the convenience of the parties and various public-interest
2 considerations. *Atl. Marine Const. Co. v. U.S. Dist. Court for W. Dist. of Texas*,
3 571 U.S. 49, 62 (2013). Ordinarily, the district court must weigh the relevant
4 factors and decide whether, on balance, a transfer would serve “the convenience of
5 parties and witnesses” and otherwise promote “the interest of justice” according to
6 § 1404(a).

7 On December 28, 2022, Defendant filed a motion removing Plaintiff’s
8 complaint from King County to the Eastern District of Washington. ECF No. 1.
9 The parties have now agreed that the United States District Court for the Western
10 District of Washington is the appropriate venue pursuant to 28 U.S.C. § 1441(a).
11 The parties agree that the Western District of Washington in Seattle is the
12 appropriate venue since the matter which was removed from state court was
13 originally filed in the King County Superior Court, and the Western District of
14 Washington in Seattle is “the district court of the United States for the district and
15 division embracing the place where such action [was] pending” when the matter
16 was removed. 28 U.S.C. § 1441(a).

17 **ACCORDINGLY, IT IS HEREBY ORDERED:**


- 18 1. The parties’ Joint Stipulated Motion Transferring Venue and Motion to
19 Expedite, ECF Nos. 10 and 12, are **GRANTED**.

1 2. Pursuant to 28 U.S.C. § 1441(a) and the parties' stipulation, the Clerk of
2 Court is directed to transfer this action, in its entirety, to the United States
3 District Court for the Western District of Washington, for all further
4 proceedings.

5 The District Court Executive is directed to enter this Order, furnish copies to
6 counsel, and thereafter **close** this file in this district.

7 DATED March 16, 2023.




THOMAS O. RICE
United States District Judge